TORONTO

STAFF REPORT
ACTION REQUIRED

35 Auto Mall Drive – Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision – Proposed Settlement of OMB Hearing

Date:	February 14, 2014
To:	City Council
From:	City Solicitor
Wards:	Ward 42 – Scarborough – Rough River
Reference Number:	

SUMMARY

The owner of the lands at 35 Auto Mall Drive has appealed applications to amend the City's Official Plan and Zoning By-law and a proposed Draft Plan of Subdivision to the Ontario Municipal Board based on a lack of decision by the City within the statutorily prescribed time limits. The proposal is to develop a portion of the lands with one large-scale, stand-alone retail use as well as ancillary retail uses, including a gas station. The draft plan of subdivision application proposes the realignment of Auto Mall Drive. Direction is requested regarding the upcoming hearing at the Ontario Municipal Board.

RECOMMENDATIONS

The City Solicitor recommends that Council:

1. Authorize the City Solicitor and other appropriate City staff to attend at the Ontario Municipal Board in support of the official plan amendment, zoning by-law amendment and subdivision applications to permit a large-scale, stand-alone retail use, along with ancillary retail uses, including a gas station at 35 Auto Mall Drive.

Financial Impact

The recommendations will have no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

A preliminary report from the Chief Planner and Executive Director, City Planning (the "Chief Planner") was adopted by the Planning and Growth Management Committee in March 2012 (the "Preliminary Report"). It set out a number of issues that would need to be resolved in order for staff to recommend approval of the applications:

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG12.9

The Committee directed staff to review the change of land use proposed by these applications concurrently with and in the context of the statutory Five Year Review of the Official Plan and Municipal Comprehensive Review undertaken by the City Planning Division. Staff were also directed, upon completion of the Municipal Comprehensive Review, to schedule and give notice of a community consultation meeting for the lands at 35 Auto Mall Drive, together with the Ward Councillors and to give notice for the public meeting required under the Planning Act.

In September 2012, however, the applications were appealed to the Ontario Municipal Board ("OMB") based on the failure of the City to make a decision within the prescribed time limits. Several pre-hearing conferences have been held at the OMB with another to follow on March 21, 2014. A full, contested hearing has been scheduled for the end of May 2014 if the matters cannot be resolved.

ISSUE BACKGROUND

Official Plan Amendment

An amendment to the Toronto Official Plan is required in order to permit major retail uses on the lands. This site is identified as “Employment Districts” on Map 2 (Urban Structure Map) of the Toronto Official Plan and designated “Employment Areas” on Map 22 (Land Use Map). Lands designated "Employment Areas” are intended for a wide range of employment uses including offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, hotels, retail outlets ancillary to the preceding uses, and restaurants and small-scale stores and services that serve area businesses and workers.

In recognition that some land uses require larger parcels of land and have special locational needs, the official plan also contains policy direction with respect to large-scale, stand-alone retail stores. The official plan indicates that while these uses are not directly supportive of the primary employment function of these areas, they have special locational needs which the official plan recognizes.

Policy 4.6.3 states that large-scale, stand-alone retail stores and “power centres” are only permitted in Employment Areas fronting onto major streets. Sheppard Avenue East is identified as a major street in the official plan (Map 3). Conlins Road, Milner Avenue and Auto Mall Drive are not identified as major streets.

The official plan also contains Built Form policies (3.1.2) which, among other matters, require new development to be located and organized to fit with its existing and/or planned context, to

frame and support adjacent streets, and to locate main building entrances so that they are clearly visible and directly accessible from the public sidewalk.

A copy of the proposed Official Plan Amendment is attached to this report.

Zoning By-law Amendment

The subject lands are currently zoned Office Use Zone ("OU"), Industrial Zone ("M") and Vehicle Service Zone ("VS") in the Rouge Employment District Zoning By-law No. 24982, as amended, in addition to several exceptions. A zoning by-law amendment is required in order to permit retail uses as primary uses and to establish appropriate performance standards to guide redevelopment of the subject lands.

A copy of the proposed Zoning By-law Amendment is attached to this report.

Draft Plan of Subdivision

The draft plan of subdivision application seeks to create a single development block as well as to allow for the re-alignment of Auto Mall Drive. The lands are comprised of 8 individual lots under one ownership with an approximate lot area of 6.2 hectares (15.3 acres). Currently Auto Mall Drive bisects the lands resulting in a smaller land holding north of Auto Mall Drive, bounded by Sheppard Avenue East and Conlins Road and a large land holding south of Auto Mall Drive, bounded by Conlins Road, Milner Avenue and Auto Mall Drive.

The creation of a contiguous 6.22 hectare (15.3 acre) site fronting on Sheppard Avenue East is premised on Council approving the closure of a portion of Auto Mall Drive and transferring the road allowance to the applicant. These matters are to be addressed through the draft plan of subdivision application and the City's road closure policies and procedures.

A copy of the proposed subdivision and draft plan conditions are attached to this report.

COMMENTS

The Preliminary Report from the Chief Planner set out a number of issues with the application that had been identified by staff including

- the future comprehensive development of the lands including an appropriate street and block pattern (including the closure and transfer/sale of the existing public road)
- traffic impact and parking
- compliance with applicable built form policies

Additional reports and studies as well as revisions to those already submitted have been provided by the applicant to address concerns raised by City staff in the Preliminary Report. Specifically, a revised Traffic Impact Statement (TIS) has been submitted to the satisfaction of Transportation Services. The TIS addresses concerns raised by City staff pertaining to access and egress to the site, the final realignment of Auto Mall Drive, and the potential impact on the City's work yard on the North Side of Sheppard Avenue and future Metrolinx operations along Sheppard Avenue.

Although it will follow a separate approval process, it should be noted that the applicant has made a submission to the City to close the existing Auto Mall Drive. Final approval of the plan of subdivision that provides for a realignment of Auto Mall Drive will depend on the outcome of this process. If the road is closed, it is expected the applicant will enter into negotiations with the City to purchase the lands.

It was also recommended in the Preliminary Report that these applications be considered concurrently with and in the context of the Five Year Official Plan Review and the Municipal Comprehensive Review.

On December 16, 2013, City Council adopted, with amendments, a report from the Chief Planner regarding the outcome of the Municipal Comprehensive Review and the Five Year Official Plan Review and Official Plan Amendment No. 231.

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG28.2

Official Plan Amendment No. 231 has been sent to the Minister of Municipal Affairs and Housing for approval as required by the Planning Act.

The proposed site specific draft official plan amendment for 35 Auto Mall Drive is directly in keeping with both the findings of the City under the Municipal Comprehensive Review as well as proposed amendments pertaining to the site in Official Plan Amendment No. 231.

CONTACT

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SIGNATURE

_____
Anna Kinastowski, City Solicitor

ATTACHMENTS

Attachment 1 - Draft proposed Official Plan Amendment
Attachment 2 - Draft proposed Zoning By-law Amendment
Attachment 3 - Draft plan conditions

Attachment 1

CITY OF TORONTO
BY-LAW No. ~-20~(OMB)

To adopt an amendment to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2013, as 35 Auto Mall Dr, 958 Milner Avenue and adjacent lands

Whereas authority is given to the Ontario Municipal Board under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, upon hearing the appeal of the Owners of the lands, to pass this By-law;

Therefore the Official Plan of the City of Toronto, as amended, is further amended by the Ontario Municipal Board as follows:

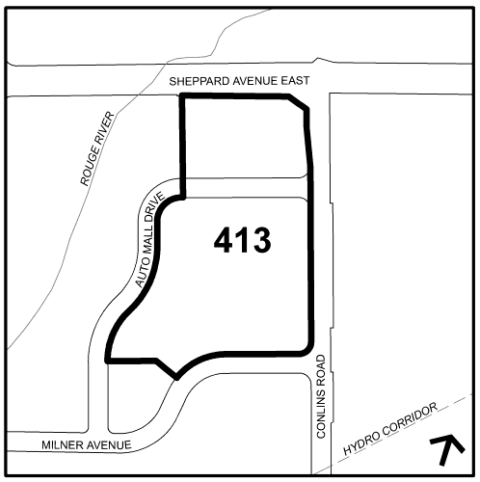
1. The attached Amendment No. 413 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

City of Toronto By-law No. ~~-20~

AMENDMENT NO. 413 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 20~ AS
35 Auto Mall Dr, 958 Milner Avenue and adjacent lands

The Official Plan of the City of Toronto is amended as follows:



1. Chapter 7, Site and Area Policies, is amended by adding Site and Area Specific Policy No. 413 for the lands known municipally in 2012 as 35 Auto Mall Drive, 958 Milner Avenue and adjacent lands, as follows:

   a) Prior to the approval of a zoning by-law permitting the development of the lands the owner will make arrangements with respect to the closure, purchase and re-alignment of a section of Auto Mall Drive, to the satisfaction of the City of Toronto in consultation with Metrolinx.

   b) Development will:

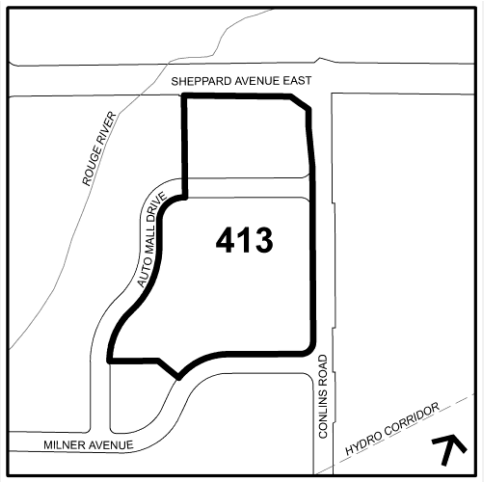
      i. provide a strong building relationship to street edges, in particular to Sheppard Avenue East, to enhance visual identity, accessibility to public transit, and to create an attractive and comfortable streetscape;

      ii. achieve efficient use of the land by providing buildings fronting Sheppard Avenue East to be a minimum of 2 storeys and parking layout minimizing the use of available land and screened from adjacent streets; and

      iii. address floodplain management issues and incorporate any necessary mitigation measures to the satisfaction of the Toronto and Region Conservation Authority.

   c) Major retail development with retail gross floor area of 6,000 square metres or more is permitted. Additional uses will include a gas bar"

2. Map 33, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy 413 as shown on the attached Schedule 1.



Attachment 2

CITY OF TORONTO
BY-LAW No. ~-20~ (OMB)

To amend the Rouge Employment District Zoning By-law No. 24982, as amended, with respect to the lands municipally known in the year 2013 as 35 Auto Mall Drive and 958 Milner Avenue

Whereas authority is given to the Ontario Municipal Board by Section 34 of the *Planning Act*, R.S.O. 1990, cap. 13, as amended, to pass this By-law; and

Therefore By-law No. 24982 of the City of Toronto, as amended, is further amended by the Ontario Municipal Board as follows:

1. **SCHEDULE 'A'** of the Rouge Employment District Zoning By-law is amended by deleting the current zoning of the lands at 35 Auto Mall Drive and 958 Milner Avenue and substituting new zoning on the subject lands as shown on Schedule '1' attached hereto and forming part of this By-law, together with the following letters and numerals:

ME 592-593-994-1054-1090-1091-1526-1640-1852-1868-2709-2029 485

2. **SCHEDULE 'B' – PERFORMANCE STANDARD CHART**, of the Rouge Employment District Zoning By-law, as amended, is hereby further amended by adding the following Performance Standards:

Intensity of Use

592 **Gross Floor Area** of all Retail Stores, Accessory Offices and Medical Offices, **Restaurants, Personal Service Shops** and **Financial Institutions** shall not exceed 0.35 times the area of the **lot**.

593 **Gross Floor Area** of all Retail Stores, Accessory Offices and Medical Offices, **Restaurants, Personal Service Shops** and **Financial Institutions** shall not exceed 20,000 square metres.

Required Parking

1526 Minimum 3.75 parking spaces per 100 square metre of gross floor area for Retail Stores, **Restaurants**, **Personal Service Shops** and **Financial Institutions.**

Height

2709 Buildings along the Sheppard Avenue East frontage will have a minimum **height** of 2 **storeys**, excluding mechanical equipment, vents, parapet wall and decorative elements. All other buildings shall have a maximum **height** of 9.5 metres.

Street Yard Setbacks

1090 The minimum street yard setback to Sheppard Avenue East and Auto Mall Drive shall be 3.0 metres;

1091 The minimum street yard setback to Conlins Road shall be 6.0 metres

Miscellaneous

2065 Lands not occupied with buildings located along the Sheppard Avenue East frontage of the subject lands, shall be **landscaped** with sod until such time as they are developed.

3. SCHEDULE 'C' – EXCEPTIONS LIST, is amended by adding Exception No. 485 to apply to the lands shown outlined on Schedule '1' to this By-law as follows:

485 On those lands identified as Exception No. xx, the following additional uses shall also be permitted:

Additional Permitted Uses:

Vehicle Service Station

1640. Within the lands shown on Schedule "1" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the plot line and the following provisions are complied with:

(a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and

(b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

Attachment 3

City File No.: 11 328171 ESC 42 SB

CONDITIONS

1.0 The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of PG32.3 of the Planning and Growth Committee.

2.0 Approval of the draft plan applies to the plan dated December 15, 2011.

3.0 That the owner agrees, in writing to satisfy all requirements, financial and otherwise, of the City of Toronto.

4.0 The applicant will be required to illustrate and convey all noted property/roadway requirements.

5.0 The applicant shall enter into an agreement to work within the City's right-of-way and provide the necessary securities for required road works.

6.0 The applicant shall convey and dedicate all proposed public roads, turning circles, corner roundings, walkways and 0.3 m reserves to the City of Toronto as Public Highway, to the satisfaction of the Director of Engineering and Construction Services.

7.0 The applicant must arrange for the permanent closure of the existing easterly portion of Auto Mall Drive and subsequently acquire the lands to include as part of the development block.

8.0 The applicant is responsible to provide servicing easements to the City for any municipal infrastructure that may exist on the closed portion of Auto Mall Drive, if required.

9.0 The applicant is responsible for removing and/or relocating any municipal infrastructure from the closed portion of Auto Mall Drive.

10.0 The owner shall agree to construct and convey to the City and dedicate as public right-of-way, at no cost to the City, the future extension of Auto Mall Drive up to Sheppard Avenue to the satisfaction of the Director of Engineering and Construction Services,

11.0 The Auto Mall Drive extension must be designed and constructed to current City Development Infrastructure Policy Standards (DIPS) standard specifications and ensure

consistency with existing Auto Mall Drive with a 23 metre right-of-way and provide for a 12 metre pavement width and corner roundings of 15 metres at Sheppard Avenue.

12.0 Pedestrian sidewalks must be provided on both sides of the future extension of Auto Mall Drive to Sheppard Avenue and on the existing Auto Mall Drive frontage of the site. These sidewalks must be 1.7 m in width and be located 0.3 m from the property limit.

13.0 The applicant must provide a 15 metre daylight triangle (street line radius) on both sides of the Auto Mall extension where it intersects Sheppard Avenue.

14.0 Access from Sheppard Avenue to the realigned Auto Mall Drive shall be restricted to right-in/right-out movements only.

15.0 All proposed public streets including street line radius (corner roundings) and reserves must be dedicated to the City of Toronto as Public Highway to the satisfaction of the Director of Engineering and Construction Services.

16.0 The proposed Auto Mall Drive extension must be conveyed to the City of Toronto, for a nominal sum, free and clear of any and all encumbrances.

17.0 The applicant must provide functional drawings and pavement marking plans for the Auto Mall Drive extension.

18.0 The appropriate City Officials will be authorized to take whatever actions necessary to give effect thereto, including the introduction of any Bills that might be necessary.

19.0 The applicant is responsible for all costs associated with the installation/alterations of street signage/pavement markings required by this application.

20.0 The applicant must make any and all necessary arrangements to permanently close the easterly portion of Auto Mall Drive illustrated on the Draft Plan of Subdivision.

21.0 The owner must provide securities for the future signalization of Milner Road at Auto Mall Drive and Conlins Road in the amount of $400,000.00. This project shall be monitored for a 5 year period after full occupancy of the development site and be refunded to the owner if not required at the discretion of the General Manager of Transportation Services.

22.0 The owner is responsible for any and all costs associated with the installation of Traffic Control Signals at the proposed Auto Mall Drive and Sheppard Avenue intersection, including any boulevard modifications required for pedestrian linkages from the municipal sidewalk on both sides of Sheppard Avenue.

23.0 The owner is responsible for all costs associated with modifications of the existing pavement markings on Sheppard Avenue to create an eastbound right-in/right-out restricted access at Sheppard Avenue and Auto Mall Drive. The applicant must provide

detailed functional drawings and pavement marking plans, prepared by a certified transportation consultant illustrating both the existing and proposed conditions.

24.0 The owner is responsible for all costs associated with the widening and modifications of the existing pavement markings on Conlins Road to create and exclusive northbound left turn lane at the proposed full moves site driveway on Conlins Road. The applicant must provide detailed functional drawings and pavement marking plans, prepared by a certified transportation consultant illustrating both the existing and proposed conditions.

25.0 The owner is responsible for all costs associated with the modifications of the existing pavement markings on Milner Avenue to create an eastbound left turn lane at the existing Milner Avenue and Auto Mall Drive intersection. The applicant must provide detailed functional drawings and pavement marking plans, prepared by a certified transportation consultant illustrating both the existing and proposed conditions.

26.0 The owner is responsible for any and all costs of roadway improvements including any and all hardware modifications, pavement markings and changes to the existing traffic control signal timing plants as may be required.

27.0 The proposed driveways to the development site must be designed and constructed in accordance with the City of Toronto standard drawing No. T-350. This standard detail must be clearly illustrated on the revised site plan.

28.0 The grades of the proposed driveways must be from 2% to 6% within the boulevards (only 4% maximum grade across a sidewalk), 5% maximum into the site for the first 4.5 metres, and then 10% maximum thereafter (8% maximum if a designated fire route or 15% maximum if heated or covered). Grade differentials on-site must be 7.5% maximum over a minimum 3.65 metre transition length.

29.0 Depressed curbs are to be constructed and extended across the entrance of the driveways and integrated with the proposed curb returns.

30.0 The applicant is responsible for the reinstatement of any existing utilities/redundant accesses at no cost to the City and to the satisfaction of the Director and Engineering and Construction Services.

31.0 A minimum clearance of 1 metre must be provided and maintained from any hydro street light/poles. If this is not possible, the pole(s) must be relocated by Toronto Hydro at the applicant's expense.

32.0 The applicant is responsible for any and all costs associated with existing traffic control plant modifications required.

33.0 The southerly access to Auto Mall Drive must not encroach beyond the extension of the southerly property line.

34.0 The applicant must enter into an encroachment agreement with the City of Toronto for the landscape treatment and lighting at the southwest corner of Sheppard Avenue East and Conlins Road.

35.0 The applicant shall prepare all documents and convey to the City, at nominal cost, in fee simple, such lands to be free and clear of all physical and title encumbrances and subject to a right-of-way for access in favour of the Grantor until such time as said lands have been dedicated as Public Highway, all to the satisfaction of the Director of Engineering and Construction Services and the City Solicitor.

36.0 The applicant shall submit a draft reference plan of survey, to City specifications, to the Director of Engineering and Construction Services for review and approval, prior to depositing the plan in the Land Registry Office.

37.0 The applicant shall pay all costs for registration and preparation of reference plan(s).

38.0 The applicant shall retain a qualified person to conduct environmental site assessments for the lands to be conveyed to the City. All submitted environmental site assessments shall be prepared in accordance with the Record of Site Condition (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan based on the site conditions standards approach to the Director of Engineering and Construction Services, for peer review.

39.0 The applicant shall pay all costs associated with the City retaining a third party peer reviewer including a 7% administrative cost to the City and submit a certified cheque payable to the City of Toronto in the amount of $5,000.00, as an initial deposit towards the cost of the peer review to the Director of Engineering and Construction Services.

40.0 At the completion of the site remediation process, the applicant shall submit a statement from a qualified person, to the Director of Engineering and Construction Services, for peer review and concurrence that, based on all necessary supporting environmental documents:

(i) The land to be conveyed to the City meets either:

a. The applicable MOE Generic Site Condition Standards for the most environmentally sensitive adjacent land use, or;

b. The Property Specific Standards (PSSs) as approved by the MOE for a Risk Assessment/Risk Management Plan which was conducted in accordance with the City Policies and Conditions for the Acceptance of Risk Assessed Lands, and

(ii) It is unlikely that there is any off-site contamination resulting from the past land uses on or in the vicinity of the development site that has migrated on to the adjacent rights-of-way that would exceed the applicable Site Condition Standards.

41.0 The applicant shall file the Record of Site Condition (RSC) on the Ontario Environmental Site Registry and submit the Ministry of the Environment's Letter of Acknowledgement of Filing of a Record of Site Condition (RSC) confirming that the RSC has been prepared and filed in accordance with O. Reg 153/04, and that the MOE will not audit the RSC at this time or that the RSC has passed an MOE audit, to the satisfaction of the Director of Engineering and Construction Services.

42.0 The Developer is required to provide and maintain traffic operations measures/facilities as recommended in the accepted Traffic Operations Assessment entitled _____, prepared by ____ and dated____.

43.0 The Development shall agree to construct and maintain all engineering works in accordance with the design and drawings prepared by the Professional Engineer, Drawing No. _____, prepared by _____, revision _____, and dated _____.

44.0 The Development shall agree to remove all existing accesses, curb cuts, traffic control sign, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way, in accordance with City standards and to the satisfaction of the Executive Director of Engineering and Construction Services.

45.0 The Owner is required to enter into a Site plan agreement to provide and maintain all that is shown on the plans and drawings.

46.0 The Developer shall agree to construct and maintain the retaining walls as specified in the accepted engineering design and drawings.

47.0 The Owner shall provide certification to the Executive Director, Engineering and Construction Services by the Professional Engineer who designed the retaining walls that the walls were constructed in accordance with the accepted drawings (if applicable).

48.0 The Developer agrees to construct and maintain all facilities necessary to permit bulk lift City collection of solid waste and recyclable materials in accordance with Chapter 844 of the City of Toronto Municipal Code, Waste Collection, Residential Properties. If the owner requests the city to collect trade waste, the owner will be required to make an application for garbage and recycling collection and enter into an agreement with the City, under the Yellow Bag Program, for such collection services. In the event that the owner is not accepted, then a private contractor must collect all solid waste from this site. Collection of wastes from the commercial section of this site will be in accordance with Chapter 841, Solid Waste, of the City of Toronto Municipal Code. (Refer to appropriate By-laws for Procedures associated with grease, etc.);

49.0 The Development agrees to advise all owners and tenants/future purchasers of the units that refuse and recyclable materials generated by this building will be collected by a private refuse collection firm.

50.0 The Developer shall agree to construct and maintain stormwater management measures/facilities and site grading as recommended in the accepted Stormwater Management Report entitled)_____, prepared by _____, dated _____, and Grading Plan, Drawing No. _____, prepared by _____, revision _____, and dated_____.

51.0 The Developer shall agree to construct and maintain site servicing indicated on the accepted Site Servicing Drawings No. _____, prepared by _____, and dated_____.

52.0 The Developer shall agree to provide certification to the Executive Director of Engineering and Construction Services from the Professional Engineer who designed and supervised the construction, confirming that the stormwater management facilities and site grading have been constructed in accordance with the accepted Stormwater Management Report and accepted Grading Plans.

53.0 The Developer shall agree to provide certification to the Director of Engineering and Construction Services from the Professional Engineer who designed and supervised the construction, confirming that the site servicing facilities have been constructed in accordance with the accepted drawings.

54.0 Existing drainage patterns on adjacent properties shall not be altered and stormwater runoff from the subject development shall not be direct to drawing onto adjacent properties.

55.0 The applicant must obtain an access permit from Transportation Services prior to construction of this project. Other permits/licenses associated with construction activities (such as hoarding, piling, shoring, etc.) may also be required. The applicant is also required to provide a fee of $689.04 for the access permit. The applicant is responsible for obtaining the applicable permits/licenses to providing securities and must be advised to contact Right-of-Way Management Section at (416) 396-7505 or (416) 369-4502 regarding the site-specific permit/licensing requirements and associated securities and obligations.

56.0 The owner shall enter into the necessary agreement with Engineering and Construction Services for undertaking works within the City of Toronto's public right-of-way. The owner is required to provide all financial security for all work within the City's right-of-

way. The owner is required to pay an engineering review and inspection fee of 5% of the estimated construction cost of the required work.

57.0 The owner is required to make application to the Toronto Water Services Division, after the site servicing plan is accepted by Engineering and Construction Services and pay for the installation of City service connections from the property line to the City mains. These shall include one water and one sanitary service connection for each freehold residential unit or each single entity development such as a condominium, co-operative or rental property to be held under separate ownership, plus any necessary storm service connections. The owner is responsible to provide for the installation of the water, sanitary and any necessary storm service connections from the building to the City services at the property line.

58.0 The owner is required to obtain or verify new municipal addresses prior to submitting a building permit application.

59.0 The applicant is required to prepare a Construction Management Plan to the satisfaction of the Director of Engineering and Construction Services showing the following items:

a) Dust/mud control on and offsite;
b) Location of truck loading points, trailing parking;
c) Location of temporary material storage areas;
d) Access/truck routing;
e) Provision of hoarding, temporary fencing and covered walkways;
f) Location and extent of aerial crane operations;
g) Parking for construction trades; and,
h) Procedure to deal with vermin and rodents.

60.0 The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Development may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

61.0 The Owner is hereby advised that although the Sheppard LRT is currently inactive, if it becomes active at sometime in the future the applicant should be advised that there may be impacts, such as noise and vibration, from such future transit operations.

62.0 The Owner is hereby advised that the landscape requirement in the amount of $ will be with held by the Director, Community Planning, until such time as all the buildings fronting Sheppard Avenue East and Conlins Drive are developed. Further, lands unoccupied by buildings along the Sheppard Avenue East frontage shall be landscaped with sod until such time they are developed with buildings.

Advisory notes

Hydro One Networks Inc. has requested that the following paragraph be included as a note to draft approval:

An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating ***DANGER - Overhead Electrical Wires*** in all locations where personnel and construction vehicles might come in close proximity to the conductors.